

REMARKS

Claims 2-16 and 18-24 remain in this application. New claims 25 and 26 are added above, and claims 1 and 17 were previously canceled. Entry of this amendment and reconsideration of the application are respectfully requested.

Discussions of the jamming prevention and safety features previously reflected in claims 23 and 24 are found, for example, in paragraphs 0015 and 0021 of the specification. The amendments set forth above, in any event, eliminate the terms referred to in section 2 on page 2 of the Office Action and any reference to "safety" or "jamming" from the claims. It is respectfully submitted that the rejections under 35 U.S.C. § 112, first and second paragraphs, are overcome.

Independent claims 23 and 24 as amended above reflect features discussed, for example, in paragraphs 0019 and 0021 of the specification.

The present invention concerns a process to control movement of the individual roof sections of a multi-part sliding roof in which all individual roof component positions can be achieved with just one rotary switch. In order to either perform the method specified by claim 23 or provide the assembly defined by claim 24, it is necessary to program the various motion sequences and final positions in a control unit such as the control unit 14 shown in Figure 1. These final positions (represented, for example, in Figures 3a to 3f) are produced by appropriate operation of the rotary switch, which causes the roof components to be positively controlled. Such positive control is necessary to prevent a

passenger from getting stuck when a roof component is steered to a final position that might present a danger to the passenger.

Claims 23 and 24 are rejected, along with various dependent claims, as unpatentable over the Schmaelzle et al. patent in view of the Weissrich et al. patent and either the Kreiner et al. patent or the Ohtsu et al. patent, all of which were relied on previously. Reconsideration is requested.

Currently amended claim 23 defines a method of controlling a multipart sliding roof for a motor vehicle including performing a logical sequence of movements of individual roof sections so as to move the roof sections from a starting roof opening condition to a selected predetermined roof opening condition, with the logical sequence depending on the starting roof opening condition. Claim 24 includes similar language, and defines a multipart sliding roof assembly for a motor vehicle as including a control unit responsive to starting roof opening conditions and to movement of the operating element so as to perform a logical sequence of movements of the individual roof sections from a starting roof opening condition to a selected predetermined roof opening condition, with the logical sequence depending on the starting roof opening condition. It is respectfully submitted that these limitations serve to patentably distinguish the present invention from the documents relied on by the Examiner, which, taken as a whole, do not suggest these limitations.

The Schmaelzle et al. patent concerns available technology upon which the present invention is an improvement, and describes an openable multi-part car roof construction which does not have the features mentioned above. The other

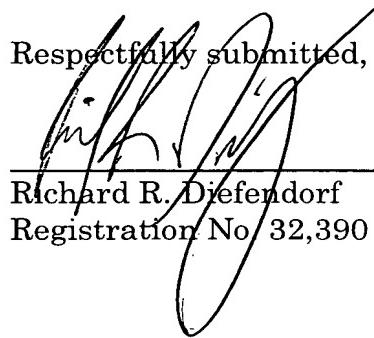
documents relied on in the rejection fail to show a multi-part car roof that can be opened and which includes first, second, and third movable roof sections as now specified by claims 23 and 24, and do not suggest precluding individual roof components of a multi-part car roof from being steered to every position; in each of the configurations disclosed by these other documents, only one individual roof component has to be moved. According to the present invention, by placing the rotary switch in various positions A, B, C, D, E, and F, the control unit is programmed to produce movement of the individual roof sections into several final positions which minimize the risk of the car owner getting stuck.

It is respectfully submitted that currently amended claims 23 and 24 are patentable over the Schmaelzle et al., Weissrich et al., and Kreiner et al. or Ohtsu et al. patents mentioned above. The additional secondary documents relied on by the Examiner in sections 4-6 on pages 4-5 of the Office Action do not suggest a method including performing the logical sequence of movements required by claim 23 or a roof assembly including a control unit responsive so as to perform the logical sequence of movements required by claim 24, and it is submitted that claims 23 and 24 are patentable. The rest of the claims in this application are dependent claims and are patentable as well.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Respectfully submitted,

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